

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN DIVISION**

CHARLENE MARTINEZ, individually  
and on behalf of all others similarly  
situated,

*Plaintiff,*

v.

TD BANK USA, N.A., a National  
Bank, and TARGET CORPORATION,  
a Minnesota corporation,

*Defendants.*

Case No.: 15-v-07712-JBS-AMD

Hon. Jerome B. Simandle

Magistrate Judge Ann Marie Donio

**JOINT STIPULATION FOR CONTINUANCE**

Plaintiff Charlene Martinez (“Plaintiff”) and Defendants TD Bank USA, N.A. and Target Corporation (collectively, “Defendants”), by and through their undersigned counsel and pursuant to Federal Rule of Civil Procedure 6(b), hereby respectfully stipulate and agree, subject to the Court’s approval, to (i) continue Plaintiff’s deadline to seek leave to amend her operative complaint by two weeks, such that the new deadline would be September 11, 2017, and (ii) continue the telephone conference set for September 7, 2017 by approximately two weeks to such other date and time as is convenient for the Court. In support of the instant stipulation, the Parties state as follows:

WHEREAS, the Parties appeared for a telephone conference before

Magistrate Judge Donio on August 2, 2017, (Dkts. 69, 71);

WHEREAS, during the conference, the Parties discussed with the Magistrate Donio, among other items, (i) the potential for resolution of this matter in light of the Court's summary judgment order and (ii) the need for additional time for the Parties to consider the same;

WHEREAS, accordingly, the Court continued Plaintiff's deadline to seek leave to amend to assert new class allegations with respect to her remaining claim, and a further telephonic conference was set for September 7, 2017, (Dkt. 70);

WHEREAS, since that time Plaintiff and Plaintiff's counsel have been considering and preparing their views regarding potential resolution to present to Defendants and their counsel. However, due to personal matters that have affected scheduling on their side, they require a brief additional period in which to do so;

WHEREAS, in light of the foregoing, the Parties have met and conferred, through counsel, and Defendants have agreed (without waiving any rights) to stipulate, subject to the Court's approval, to continuing Plaintiff's deadline to seek leave to amend and the currently scheduled telephone conference by approximately two weeks;

WHEREAS, the Parties agree that the instant request will not prejudice either side nor cause any undue delay;

NOW THEREFORE, THE PARTIES HEREBY STIPULATE and AGREE

that:

1. Plaintiff shall seek leave to amend her operative complaint (if at all) on or before September 11, 2017; and
2. The telephone conference currently scheduled for September 7, 2017 shall be continued approximately two weeks to a date and time convenient for, and later set by, the Court.

IT IS SO STIPULATED.

**CHARLENE MARTINEZ**, individually  
and on behalf of all others similarly situated,

Dated: August 28, 2017

By: s/Stefan Coleman  
One of Plaintiff's Attorneys

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**TD BANK, USA, N.A., TARGET CORP.,**

Dated: August 28, 2017

By: s/ Jarrod D. Shaw  
One of Defendants' Attorneys

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So Ordered this 29<sup>th</sup> day of  
August 2017  
Ann  
Ann Marie Donio, USMJ